

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

THERESE FLAHERTY WIEBEL,

Plaintiff,

V.

MORRIS, DOWNING & SHERRED, et al., :

Defendants.

Civil Action No. 07-3150 (SRC)

ORDER

CHESLER, U.S.D.J.

This matter comes before the Court on the motion to dismiss the Complaint, pursuant to Federal Rule of Civil Procedure 12(b)(6), by Defendants Morris, Downing & Sherred (collectively, “Defendants”); and it appearing that this Court reviewed the parties’ submissions; and for the reasons set forth in the accompanying Opinion, and good cause appearing,

IT IS on this 9th day of January, 2009,

ORDERED that Defendants' motion to dismiss (Docket Entry No. 55) for failure to state a valid claim for relief, pursuant to FED. R. CIV. P. 12(b)(6), is **GRANTED**, and the Complaint is hereby **DISMISSED** without prejudice; and it is further

ORDERED that Plaintiff is granted leave to amend the Complaint within 45 days of the filing of this Order.

/s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge